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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,807	03/29/2005	Zenji Horita	F-8624	5692
28107 7590 11/30/2009 JORDAN AND HAMBURG LLP 122 EAST 42ND STREET SUITE 4000 NEW YORK, NY 10168				
EXAMINER				
TOLAN, EDWARD THOMAS				
ART UNIT		PAPER NUMBER		
3725				
MAIL DATE		DELIVERY MODE		
11/30/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

**Application No.**

10/529,807

**Examiner**

EDWARD TOLAN

**Applicant(s)**

HORITA ET AL.

**Art Unit**

3725

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 4-7,38-42,73 and 77.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Edward Tolan/  
Primary Examiner, Art Unit 3725

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification:

On page 7, line 5, the terms "according to claim 12" have been deleted.

On page 7, line 10, the terms "according to claim 13" have been deleted.

On page 7, line 16, the terms "according to claim 14" have been deleted.

On page 7, line 22, the terms "according to claim 15" have been deleted.

On page 8, line 3, the terms "according to claim 16" have been deleted.

On page 8, line 11, the terms "according to claim 17" have been deleted.

On page 8, line 14, the terms "according to claim 18" have been deleted.

On page 8, line 19, the terms "according to claim 19" have been deleted.

On page 8, line 24, the terms "according to claim 20" have been deleted.

On page 9, line 3, the terms "according to claim 21" have been deleted.

On page 9, line 8, the terms "according to claim 22" have been deleted.

On page 9, line 14, the terms "according to claim 23" have been deleted.

On page 9, line 19, the terms "according to claim 24" have been deleted.

On page 9, line 25, the terms "according to claim 25" have been deleted.

On page 10, line 7, the terms "according to claim 26" have been deleted.

On page 10, line 10, the terms "according to claim 27" have been deleted.

On page 10, line 15, the terms "according to claim 28" have been deleted.

On page 10, line 20, the terms "according to claim 29" have been deleted.

On page 11, line 1, the terms "according to claim 30" have been deleted.

On page 11, line 13, the terms "according to claim 31" have been deleted.

On page 11, line 19, the terms "according to claim 32" have been deleted.

On page 12, line 4, the terms "according to claim 33" have been deleted.

On page 12, line 11, the terms "according to claim 34" have been deleted.

On page 12, line 20, the terms "according to claim 35" have been deleted.

On page 13, line 1, the terms "according to claim 36" have been deleted.

On page 13, line 5, the terms "according to claim 37" have been deleted.

On page 13, line 10, the terms "according to claim 38" have been deleted.

On page 13, line 17, the terms "according to claim 39" have been deleted.

On page 13, line 22, the terms "according to claim 40" have been deleted.

On page 14, line 4, the terms "according to claim 41" have been deleted.

On page 14, line 11, the terms "according to claim 42" have been deleted.

On page 14, line 16, the terms "according to claim 43" have been deleted.

On page 14, line 25, the terms "according to claim 44" have been deleted.

On page 15, line 5, the terms "according to claim 45" have been deleted.

On page 15, line 13, the terms "according to claim 46" have been deleted.

On page 15, line 18, the terms "according to claim 47" have been deleted.

On page 15, line 24, the terms "according to claim 48" have been deleted.

On page 16, line 5, the terms "according to claim 49" have been deleted.

On page 16, line 11, the terms "according to claim 50" have been deleted.

On page 16, line 19, the terms "according to claim 51" have been deleted.

On page 16, line 22, the terms "according to claim 52" have been deleted.

On page 17, line 2, the terms "according to claim 53" have been deleted.

On page 17, line 7, the terms "according to claim 54" have been deleted.

On page 17, line 10, the terms "according to claim 55" have been deleted.

On page 17, line 15, the terms "according to claim 56" have been deleted.

On page 17, line 20, the terms "according to claim 57" have been deleted.

On page 18, line 1, the terms "according to claim 58" have been deleted.

On page 18, line 7, the terms "according to claim 59" have been deleted.

On page 18, line 14, the terms "according to claim 60" have been deleted.

On page 18, line 17, the terms "according to claim 61" have been deleted.

On page 18, line 22, the terms "according to claim 62" have been deleted.

On page 19, line 2, the terms "according to claim 63" have been deleted.

On page 19, line 7, the terms "according to claim 64" have been deleted.

On page 19, line 19, the terms "according to claim 65" have been deleted.

On page 20, line 1, the terms "according to claim 66" have been deleted.

On page 20, line 10, the terms "according to claim 67" have been deleted.

On page 20, line 17, the terms "according to claim 68" have been deleted.

On page 21, line 1, the terms "according to claim 69" have been deleted.

On page 21, line 4, the terms "according to claim 70" have been deleted.

On page 21, line 12, the terms "according to claim 71" have been deleted.

On page 21, line 21, the terms "according to claim 72" have been deleted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD TOLAN whose telephone number is (571)272-4525. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward Tolan/  
Primary Examiner, Art Unit 3725